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EXAMINER

REAGAN, JAMES A

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 05/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/576,462

Applicant(s)

THOMPSON ET AL.

Examiner

M. Huseman

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Response to Arguments

1. Claims 1 – 62 are pending in this Application. Applicants' arguments filed 2/14/03 have been fully considered but they are not persuasive. In response to Applicants' remarks that a prima facie case has not been proved, a more detailed action is given below. Also, concerning Applicants' arguments relating to claims 19 – 23, the Examiner acknowledges that an error with regard to establishing a correct relationship between Applicants' claim limitations and the disclosure of Pool et al. was made in the last office action. The rejections of those claims have been altered in this action to correct the error. Applicants', please note that many of the applicable "means" claims have been grouped with the rejections of the corresponding "method" claims or vice-versa; the independent claims have been separately addressed.

Applicants, please note that the web page mentioned as being attached in Applicants' amendment, filed 2/14/03, has not been received.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first, second and third terminals, server and scanner must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Applicants' please note, with regard to the "scanner", paragraph 4, below.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: there is no indication in the specification as to which entities represent the various terminals claimed.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 54 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification. Although Applicants' have argued that "...scanning is a well known process...", there is no adequate support in Applicants' specification as originally filed for claiming "scanning". Therefore, Applicants' claimed limitation of "scanning" is new matter.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 4, 6 – 10, 13, 15 – 20, 22, 23, 27 – 34, 38 – 45, 51 – 53, 55, 59, 61 and 62 is rejected under 35 U.S.C. 102(e) as being anticipated by Pool et al.

Regarding claim 1:

Pool et al teach an international transaction system such that Applicants' step of inputting invoice data reads on the goods selected from the catalogs by the customer, Applicants' step of transferring to a server reads on the selection of the customer being transmitted to the processing center/1st database/system operator, column 4, lines 20 – 31, and Applicants' step of matching reads on the commodity code (product id) accessed and obtained, from a third database (via the system operator), based on the customer's selection, column 6, lines 52 – 61, and Applicants' step of outputting a data record reads on the generation of "appropriate documents" by the third database; the documents include at least, freight, handling, basic taxes, documentation fees, insurance and import/export charges of the product(s) (corresponding to the commodity

Art Unit: 3621

code(s)/product id(s)) selected by the customer, see columns 7 – 8, lines 61 – 67 and 1 – 64, respectively.

Regarding claims 4 and 13:

Pool et al disclose that paper copies can be generated, column 10, lines 18 – 22.

Regarding claims 6, 7, 15, 16 and 20:

Pool et al disclose that the information (invoice data) from the customer (first terminal) is transmitted/inputted to the system operator/website (server), which is associated with the third database (Applicants' database).

Regarding claims 8, 17, 23 and 31:

Although not specifically disclosed by Pool et al, updating a database in order for the information to stay current is considered inherent to any system that depends on ever-changing data, such as would be the case in international shipping. Pool et al do disclose, for instance, that the conversion rate (second database) for currency is continually updated. See also, columns 6 and 7, lines 3 – 18 and lines 15 – 27. Pool et al discloses that the databases can be accessed/managed (coupled to the network) internally to the system or externally. Applicants' third terminal reads on the processing center related to the third database.

Regarding claims 9 and 18:

Applicants' transaction database reads on the customer database, column 12, lines 22 – 37.

Regarding claim 10:

Applicants' means for inputting reads on an inherent keyboard/mouse or other well known input device used by the customer of Pool et al to perform the step of inputting as discussed in claim 1, above, Applicants' means for transferring reads on the internet connection between the customer's computer (1st terminal) and the processing center/1st database/system operator, Applicants' means for matching reads on the computer program used to correspond the products selected by the customer to the commodity codes (tariff classification information) of the third database, and Applicants' means for outputting a data record reads on the display/printer/e-mail of Pool et al (either element 190 or element 136).

Regarding claim 19:

Applicants' server reads on the web site of column 3, lines 41 – 44, Applicants' first computer reads on the computer operated by the customer, Applicants' program reads on the program used by the third database, and Applicants' second computer reads on the vendor's computer.

Regarding claim 22:

Pool et al disclose that a customs report is transmitted to a customs entity. See column 10, lines 22 – 27.

Regarding claims 27 and 28:

Pool et al teach that a product from a particular vendor may be selected, column 5, lines 2 – 58.

Regarding claim 29:

Pool et al teach that the customer interacts with the system via the internet.

Regarding claim 30:

Pool et al teach that the third database assigns/outputs commodity codes (tariff classification information) corresponding to the products selected by the customer.

Regarding claims 32 and 44:

Poole et al teach that the invoice contains the products to be imported/exported along with a commodity code corresponding to the products selected.

Regarding claims 33 and 45:

Poole et al teach that the tariff classification information is a code for a particular country. See column 6, lines 51 – 61.

Regarding claim 34:

Pool et al disclose determining the commodity codes corresponding to the products selected/input by the customer and placing them in "order" form (customs entry report).

Regarding claim 38:

Poole et al teach that for products selected by a customer, tariff classification information is provided on the customer's invoice. As there may be many customers desiring to purchase any amount of different types of products, each of the invoices

provided by the system will be customized. Further, Pool et al teach that upon looking up the commodity codes, formats for any necessary import/export data and administrative requirements (compliance) for all countries involved are also considered.

Regarding claims 39 and 40:

See the discussion of claims 27 and 28, above.

Regarding claim 41:

See the discussion of claim 29, above.

Regarding claim 42:

Pool et al disclose accessing a third database for the commodity codes corresponding to the products selected by the customer and included in the invoice.

Regarding claims 43, 52 and 55:

See the discussions of claims 8 and 38, above.

Regarding claim 51:

Applicants' step of creating an invoice reads on the products input by the customer, Applicants' step of uploading invoice data reads on the customer transmitting (electronically) the invoice to the transaction system, Applicants' step of creating a database reads on the third database, Applicants' step of comparing the product numbers reads on the system of Pool et al determining the commodity codes corresponding to the products selected/input by the customer and placing them in "order" form (customs entry report), Applicants' step of using the customs entry report reads on putting the customer's "order" into proper form (master report) for "Customs", and Applicants' step of sending reads on "moving the papers... to the customs department", columns 11 – 12, lines 61 – 67 and lines 1 – 4, respectively.

Regarding claim 53:

Applicants' step of importing/exporting and facilitating passage of the products read on the purpose of the system of Pool et al.

Regarding claims 56 - 58:

Applicants' step of importing/exporting the product reads on the purpose of the system of Pool et al.

Art Unit: 3621

Regarding claims 59:

Pool et al disclose that the invoice (data record) is used to facilitate the importing of the product into the country.

Regarding claim 61:

Pool et al teach an international transaction system such that Applicants' step of inputting invoice data reads on the goods selected from the catalogs by the customer, Applicants' step of transferring to a server reads on the selection of the customer being transmitted to the processing center/1st database/system operator, column 4, lines 20 – 31, and Applicants' step of matching reads on the commodity code (product id) accessed and obtained, from a third database (via the system operator), based on the customer's selection, column 6, lines 52 – 61, Applicants' step of outputting a data record reads on the generation of "appropriate documents" by the third database; the documents include at least, freight, handling, basic taxes, documentation fees, insurance and import/export charges of the product(s) (corresponding to the commodity code(s)/product id(s)) selected by the customer, see columns 7 – 8, lines 61 – 67 and 1 – 64, respectively, and Applicants' step of importing a product reads on the purpose of the system of Pool et al.

Regarding claim 62:

Applicants' step of creating an invoice reads on the products input by the customer, Applicants' step of uploading invoice data reads on the customer transmitting (electronically) the invoice to the transaction system, Applicants' step of creating a database reads on the third database, Applicants' step of comparing the product numbers reads on the system of Pool et al determining the commodity codes corresponding to the products selected/input by the customer and placing them in "order" form (customs entry report), Applicants' step of using the customs entry report reads on putting the customer's "order" into proper form (master report) for "Customs", Applicants' step of sending reads on Pool et al electronically "moving the papers... to the customs department", columns 11 – 12, lines 61 – 67 and lines 1 – 4, respectively, Applicants' step of importing and facilitating passage of the products reads on the purpose of the system of Pool et al, column 4, lines 1 – 19.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 3, 5, 11, 12, 14, 21, 24 – 26, 35 – 37, 46 – 50, 54 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pool et al.

Regarding claims 2, 3, 11 and 12:

Although Pool et al do not specifically teach emailing/downloading the data record to a second terminal, they do teach sending the order (data record) to the vendor (second terminal) electronically. Therefore, it is considered that it would have been obvious, if not inherent to Pool et al, to one of ordinary skill in the art at the time of the invention for the transaction system of Pool et al to email or download the record as this is an old and well known technique for electronically transferring information. See column 9, lines 10 – 12 and column 10, lines 18 – 25.

Regarding claims 5, 14 and 21:

Pool et al disclose that the vendor (second terminal) connects to the transaction system to generate the data record. Although Pool et al do not specifically disclose how the vendor accesses the system (whether a private link or public – website), Pool et al do disclose that the system is on a website, column 4, lines 47 – 51. Therefore, it is considered that it would have been obvious, if not inherent, for the vendor of Pool et al to access the system via a website as it is not uncommon for many web sites to have areas of the site sectioned off according to the information contained therein, such as when there are icons indicating “wholesalers” and “retailers”, as Pool et al teach that the system is accessible by a website.

Regarding claim 24:

Applicants' first programming steps reads on the operation of transaction system, Applicants' second programming steps reads on the operation of third database, and Applicants' third programming steps reads on the discussion of claims 5, 14 and 21, above.

Regarding claim 25:

Pool et al discloses that the databases can be accessed/managed (coupled to the network) internally to the system or externally.

Regarding claim 26:

Although Pool et al do not specifically disclose establishing a third web page, Pool et al do teach that the databases can be internal or external to the system (requiring possibly an internet connection, column 4, lines 20 – 31). Therefore, it is considered that it would have been obvious, if not inherent, to one of ordinary skill in the art at the time of the invention for the third database of Pool et al to be contained within a web site (third web page) as a matter of design choice.

Regarding claim 36:

Pool et al. teach creating custom entry reports for customers. See columns 11 – 12, lines 35 – 67 and 1 – 53, respectively.

Regarding claims 37 and 60:

Although Pool et al do not specifically disclose whether or not the screen is split, splitting screens is an old and well-known practice so that the viewer can see more than one screen view at a time. Therefore, it is considered that it would have been obvious, if not inherent, for the system of Pool et al to utilize split screens when displaying the information to the customer.

Regarding claims 46 and 47:

Pool et al teach that a product from a particular vendor (thus a particular identifier) may be selected, column 5, lines 2 – 58. Further the import/export transaction would be associated with the particular company.

Regarding claim 48:

Pool et al disclose accessing a third database for the commodity codes corresponding to the products selected by the customer and included in the invoice.

Regarding claim 49:

Poole et al teach that the tariff classification information is a code for a particular country. See column 6, lines 51 – 61.

Art Unit: 3621

Regarding claim 50:

Poole et al teach that for products selected by a customer, tariff classification information is provided on the customer's invoice. As there may be many customers desiring to purchase any amount of different types of products, each of the invoices provided by the system will be customized. Further, Pool et al teach that upon looking up the commodity codes, formats for any necessary import/export data and administrative requirements (compliance) for all countries involved are also considered.

Regarding claim 54:

Although Pool et al do not specifically teach scanning the invoice at the first terminal, but, rather, apparently entering the invoice data via keyboard, scanning is an old and well known technique for computer entry of information. Therefore, it is considered that it would have been obvious to one of ordinary skill in the art at the time of the invention for the first terminal to scan the invoice, as a matter of preference, as this is considered to be one of many methods for entering data into a computer.

10. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poole et al in view of "Customs and Trade Automated Interface Requirements".

While Pool et al do not specifically disclose sorting by tariff numbers, Appendix G of "Customs and Trade Automated Interface Requirements", page G-10, states that tariff numbers out of sequence is an error. Hence, in order to comply with US Customs the tariff numbers must be in order or sorted. Therefore, it is considered that it would have been obvious to one of ordinary skill in the art at the time of the invention to sort the tariff numbers as this is a requirement of US Customs.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Huseman whose telephone number is 703-605-4277. The examiner can normally be reached on Monday - Friday, 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

Art Unit: 3621

305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

M. Huseman
Examiner
Art Unit 3621

mh
May 1, 2003